

**Notice of Allowability**

Application No.

09/977,937

Examiner

Freda A. Nelson

Applicant(s)

ALLEN ET AL.

Art Unit

3639

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After-Final Amendment filed June 23, 2006.
2. ☒ The allowed claim(s) is/are 1-6 and 8-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Response to Amendment***

The amendment received on June 23, 2006 is acknowledged and entered. Claims 1, 8, and 14 have been amended. Claim 7 has been canceled. No claims have been added. Claims 1-6, and 8-20 are currently pending.

***Drawings***

The drawings submitted October 17, 2001 are acceptable.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

**IN THE CLAIMS**

Claim 4 (Previously Presented) ~~(Previously Amended)~~ The system of claim 1, wherein the fare is displayed at the payment point.

Claim 5 (Previously Presented) ~~(Previously Amended)~~ The system of claim 1, wherein the payment point is adapted to notify an operator of the vehicle of the fare.

Claim 6 (Previously Presented) (~~Previously Amended~~) The system of claim 1, wherein the location of the classification loop array is between about 65 feet and about 10 feet from the payment point.

***Allowable Subject Matter***

Claims 1-6 and 8-20 are allowed.

**The following is an examiner's statement of reasons for allowance:**

1. As per independent claim, specifically, Klashinsky et al. (US Patent Number 5,617,086), while disclosing a traffic monitoring system, in view of Neeloff (US Patent Number 3,927,389), while disclosing a device for determining during operation, the category of a vehicle according to a pre-established group of categories, do not disclose or fairly teach:

an intelligent queue loop located between the classification loop array and the payment point, wherein the intelligent queue loop is configured to indicate changes in electromagnetic field which are processed to produce information that is used to ensure that the vehicle is in a proper queue sequence

2. As per independent claim 9, specifically, Klashinsky et al. (US Patent Number 5,617,086), while disclosing a traffic monitoring system, in view of Neeloff (US Patent Number 3,927,389), while disclosing a ring operation, the category of a vehicle according to a pre-established group of categories, do not disclose or fairly teach:

an intelligent queue loop in communication with the microprocessor, wherein the intelligent queue loop is adapted to indicate changes in electromagnetic field which can be processed to produce subsequent signature information and wheel assembly information characterizing the vehicle, wherein the subsequent signature information is used to reconfirm the initial signature information to ensure that the vehicle is in a proper queue sequence

3. As per independent claim 14, specifically, Hilliard et al. (US Patent Number 6,342,845) while disclosing an automotive vehicle classification and identification by inductive signature, in view of Platzman (US Patent Number 3,705,976), while disclosing a revenue control system for toll roads, do not disclose or fairly teach:

an intelligent queue loop configured to indicate changes in electromagnetic field which are be processed to produce information that is used to ensure that the vehicle is in a proper queue sequence

4. The NPL prior art of record, specifically, "Tomorrow's Toll Road", fails to disclose or fairly teach:

an intelligent queue loop located between the classification loop array and the payment point, wherein the intelligent queue loop is configured to indicate changes in electromagnetic field which are processed to produce information that is used to ensure that the vehicle is in a proper queue sequence

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5. The foreign prior art of record, specifically, EP 577328, while disclosing a secure toll collection system for moving vehicles, fails to disclose or fairly teach:

an intelligent queue loop located between the classification loop array and the payment point, wherein the intelligent queue loop is configured to indicate changes in electromagnetic field which are processed to produce information that is used to ensure that the vehicle is in a proper queue sequence

### ***Conclusion***

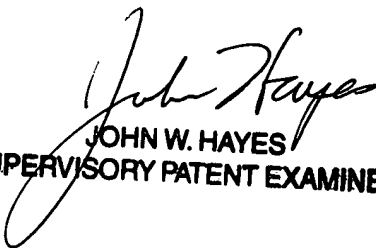
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday, 9:30 am –6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FAN 07/06/2006

A handwritten signature in cursive script that reads "Freda Nelson".A handwritten signature in cursive script that reads "John W. Hayes".

**JOHN W. HAYES**  
**SUPERVISORY PATENT EXAMINER**